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Before the
Federal Communications Commission
Washington, DC 20554

FCC Mail Room

In the Matter of)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA)	Facility ID No. 72672
)	
Permittee of FM Station KNGS)	
Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICES, INC.)	Facility ID No. 3365
)	
Permittee of FM Station KAAX,)	
Avenal, California)	
)	
CENTRAL VALLEY EDUCATIONAL)	Facility ID No. 9993
SERVICES, INC.)	
)	
Permittee of FM Station KYAF,)	
Firebaugh, California)	
)	
H. L. CHARLES d/b/a FORD CITY)	Facility ID No. 22030
BROADCASTING)	
)	
Permittee of FM Station KZPE,)	
Ford City, California)	
)	
LINDA WARE d/b/a LINDSAY)	Facility ID No. 37725
BROADCASTING)	
)	
Licensee of FM Station KZPO,)	
Lindsay, California)	

To: Marlene H. Dortch, Secretary, FCC
The Full Commission

APPEAL OF ORDER (FCC 16M-23) TO THE FULL COMMISSION

Avenal Educational Services, Inc. (hereinafter "AES") and
Central Valley Educational Services, Inc. (hereinafter "CVES")
hereby appeal Order (FCC 16M-23) to the Full Commission pursuant

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to §1.301(a)(1) of the Commission's Rules and Regulations, 47 C.F.R. §1.301(a)(1). The said Order (FCC 16M-23) released on 7-25-16 terminates the right of the two (2) appellants named above to participate in this proceeding with regard to the allegations contained in the Hearing Designation Order of 7-16-03 in this matter. The said Order (FCC 16M-23) makes erroneous findings of fact against the said appellants and dismisses them from this proceeding without taking any evidence on the said allegations set forth in the said HDO. The said Order is based on the erroneous grounds that the said appellants were not qualified to file their initial applications for their respective stations almost 30 years ago as discussed hereinafter.

BACKGROUND-

Throughout this proceeding and for the last almost 30 years William Zawila has appeared as attorney for AES and CVES. In early 2015, attorney Michael Couzens appeared with 2 groups of clients claiming to represent and to be AES and CVES.

This created a unique situation where 2 competing and conflicting attorneys each claimed to be the proper representative of AES and CVES.

On 3-19-15 in Order (FCC 15M-11) the presiding judge said that ownership, control, and representation of AES and CVES had to be determined before this proceeding could go forward. The said Order requested evidence from the 2 competing and conflicting sides to be submitted for determination on the specific question of which side actually represents the AES and CVES entities in this proceeding.

MAJOR JUDICIAL ERROR -

Instead of making the proper determination as to who represents AES and CVES as announced in the said Order, the presiding judge erred and failed to make the required determination.

Instead, the presiding judge used the evidence submitted by both sides for a totally improper purpose, to wit, to challenge the right of AES and CVES to file their initial applications for their stations almost 30 years ago. The presiding judge erroneously treated the subject evidence as though it represented a complete 30 year history of AES and CVES from the time when their initial applications were filed through the current date. In fact, the evidence was only an excerpt from the 30 year history of AES and CVES and was narrowly tailored to deal only with the specific narrow points raised in the said Order (FCC 15M-11). This judicial error by the presiding judge started a chain of confusing, misleading, and erroneous events which have led to the erroneous Order (FCC 16M-23) now under appeal herein.

Having failed to make the proper determination as to who represents AES and CVES, the presiding judge has allowed both sides to continue filing conflicting pleadings on behalf of AES and CVES.

SUBJECT ORDER (FCC 16M-23) UNDER APPEAL -

The subject Order under appeal herein is based on positions and assertions made by Mr. Couzens and his clients regarding AES and CVES with which Mr. Zawila and his clients do not agree.

The specific issue involved here is whether AES and CVES were recognized by the State of California as corporate entities when they initially filed for their stations almost 30 years ago.

On the one hand, Mr. Couzens and his clients say this requirement does not apply to AES and CVES. On the other hand, Mr. Zawila and his clients say this requirement was met by AES and CVES.

The subject Order under appeal rests totally on the position taken by Mr. Couzens but completely ignores the position put forth by Mr. Zawila even though the presiding judge has seen fit to not even determine who actually represents AES and CVES.

The presiding judge has seriously interfered with AES's and CVES's right to counsel by failing to make a determination as to who properly represents AES and CVES in light of the conflicting claims of representation discussed above and, at the same time, allowing conflicting attorneys to both file conflicting pleadings on behalf of AES and CVES.

Beyond this intolerable situation with regard to AES's and CVES's legal representation in this matter, the subject Order now under appeal herein dismisses AES and CVES from this proceeding and denies them their right to participate in an evidentiary hearing regarding the allegations set forth in the said HDO as well as allegations regarding their right to file their initial applications.

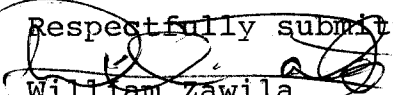
AES and CVES submit that they were in full compliance with FCC requirements when they filed their initial applications. The subject Order under appeal herein is wrong. It is based on erroneous assumptions, makes erroneous findings of fact, and reaches erroneous conclusions.

CONCLUSION -

The appellants respectfully request that this appeal be granted, that the said Order (FCC 16M-23) be overturned and declared null and void, and that the appellants be allowed to participate in any evidentiary hearing on all allegations set forth in the said HDO of 7-16-03 as well as any allegations regarding their right to file their initial applications for their respective stations.

7-30-16
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Respectfully submitted,


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CERTIFICATE OF SERVICE

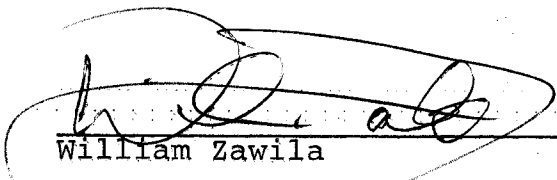
I, William Zawila, hereby certify that a copy of the foregoing Appeal of Order (FCC 16M-23) To The Full Commission

was served on the following by U.S. First Class Mail, postage prepaid, on 7-30-16:

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